

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:10-CT-3135-BO

STANLEY EARL CORBETT,
Plaintiff,

v.


G.J. BRANKER, et al.,
Defendants.

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ORDER

This matter is before the court on several pending motions. On December 18, 2012, a motion for summary judgment was filed by several defendants [D.E. 48]; however, on January 17, 2013, the same parties sought to withdraw that motion [D.E. 60]. Therefore, defendants' motion to withdraw [D.E. 60] their motion for summary judgment [D.E. 48] is ALLOWED. This MOOTS plaintiff's motion for an extension of time to respond to the summary judgment motion [D.E. 50] and defendants' motion for a protective order [D.E. 52]. Furthermore, on January 14, 2013, plaintiff filed a pro se motion seeking for his counsel to withdraw [58], but three days later filed a motion to withdraw that request [D.E. 59]. The motion to withdraw the prior motion [D.E. 59] is GRANTED and the motion to withdraw [D.E. 58] is WITHDRAWN. Given the posture of the case, specifically the allowance of an amended complaint on May 1, 2013 [D.E. 73-75], the defendants' March 15, 2013, motion for summary judgment [D.E. 65] is DENIED WITHOUT PREJUDICE, and the Honorable James E. Gates shall enter an amended scheduling order to include a period for discovery and an amended deadline for dispositive motions.

SO ORDERED, this the 2 day of May 2013.


TERRENCE W. BOYLE
United States District Judge